

REMARKS

Claims 1-18 are pending in the above-identified application, and were rejected. With this Amendment, claims 1 and 9-18 were amended. Accordingly, claims 1-18 remain at issue.

I. Objection to Specification

Applicant has amended the specification to correct minor typographical errors, as requested by the Examiner. In addition, enclosed are copies of Figures 1, 3-4, 8, 10, 14, 18-19, 24-28 with red ink markings showing proposed changes thereto for which approval of the Examiner is requested. The changes to the drawings are to correct the drawings and do not constitute new matter. Pursuant to 37 C.F.R. § 1.121(d), Applicant also encloses replacement sheets for Figures 1, 3-4, 8, 10, 14, 18-19, 24-28.

II. 35 U.S.C. 101 Rejection of Claims

Claims 17-18 were rejected under 35 U.S.C. § 101 because they failed to recite computer executable instructions. In response, Applicant has amended claims 17-18 as suggested by the Examiner. Accordingly, Applicant respectfully requests withdrawal of this rejection.

III. 35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claims 10-16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant has amended claims 10-16 to recite action method steps. Accordingly, Applicant respectfully requests withdrawal of this rejection.

IV. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,389,538 to Gruse et al. Applicant respectfully traverses this rejection.

Claim 1 is directed to a content secondary distribution management system comprising a plurality of user devices. The content secondary distribution management system manages secondary distribution in which a transaction of content usable by a user device is performed between the plurality of user devices. A settlement log for the use of the content is issued from a content providing one of the plurality of user devices to one of a service provider and a clearing center every time an identical content is distributed. Settlement processing for the identical content is performed under the management of one of the service provider and the clearing center.

Gruse et al. is directed to a system for tracking usage of digital content on user devices. (See Abstract.) Content players, which receive the licensed content data from the network, are used to play the licensed content data. (See Abstract.) A logging site that is coupled to the network tracks the playing of the content data. (See Abstract.) In particular, when Clearinghouse 105 receives a request for a decryption key for the Content 113 from an intermediate or end-user, the Clearinghouse 105 ensures that the verifications are satisfied, and sends the decryption key for the Content 113 to the requesting end-user. (See Col. 13, lines 45-58.) The Clearinghouse keeps a record of all transactions where a key exchange is cleared through the Clearinghouse and can report them to responsible parties. (See col. 11, lines 3-4; and col. 13, lines 63-64.) Thus, in Gruse et al., a content providing one of the plurality of user devices does not issue a settlement log for the use of the content. Moreover, the Clearinghouse in Gruse et al. keeps a record of all transactions where a key exchange is cleared through the clearinghouse rather than logging the use of the content. Thus, Gruse et al. does not disclose or suggest a settlement log for the use of the content is issued from a content providing one of the plurality of user devices to one of a service provider and a clearing center every time an identical

content is distributed, as required by claim 1. Accordingly, claim 1, and claims 2-8 that depend from claim 1 are allowable over Gruse et al.

For reasons similar to those disclosed above with regard to claim 1, Applicant respectfully submits that independent claims 9, 17 and 18, and claims 10-16, which depend from claim 9, are also allowable over Gruse et al. Accordingly, Applicant respectfully requests withdrawal of this rejection.

V. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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FIG. 1

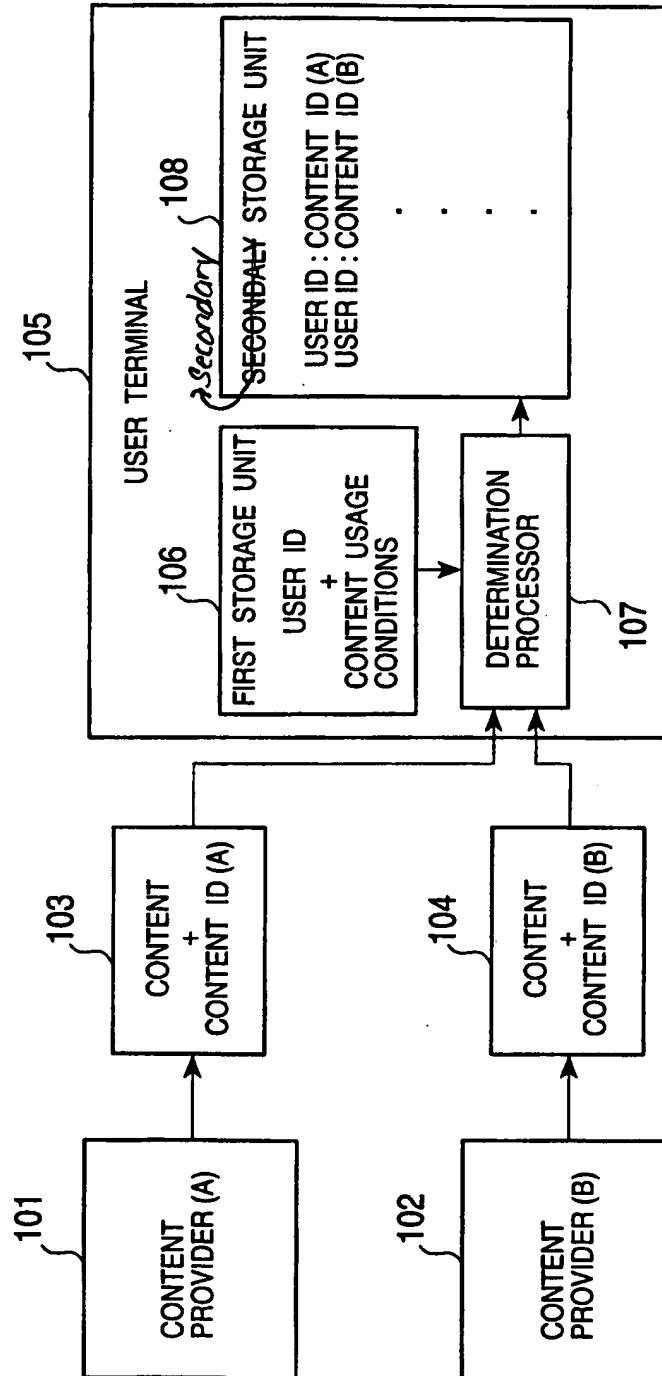


FIG. 3

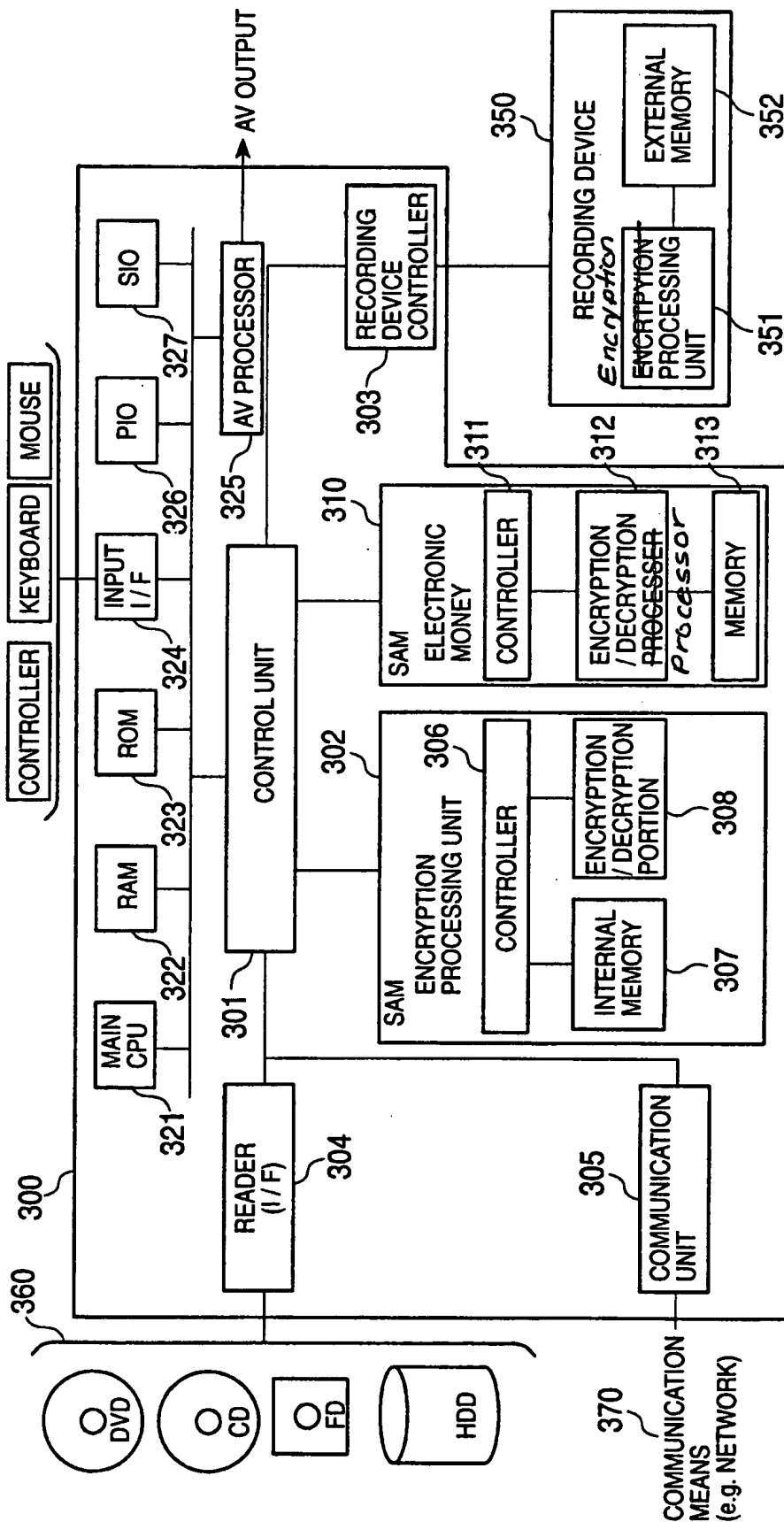
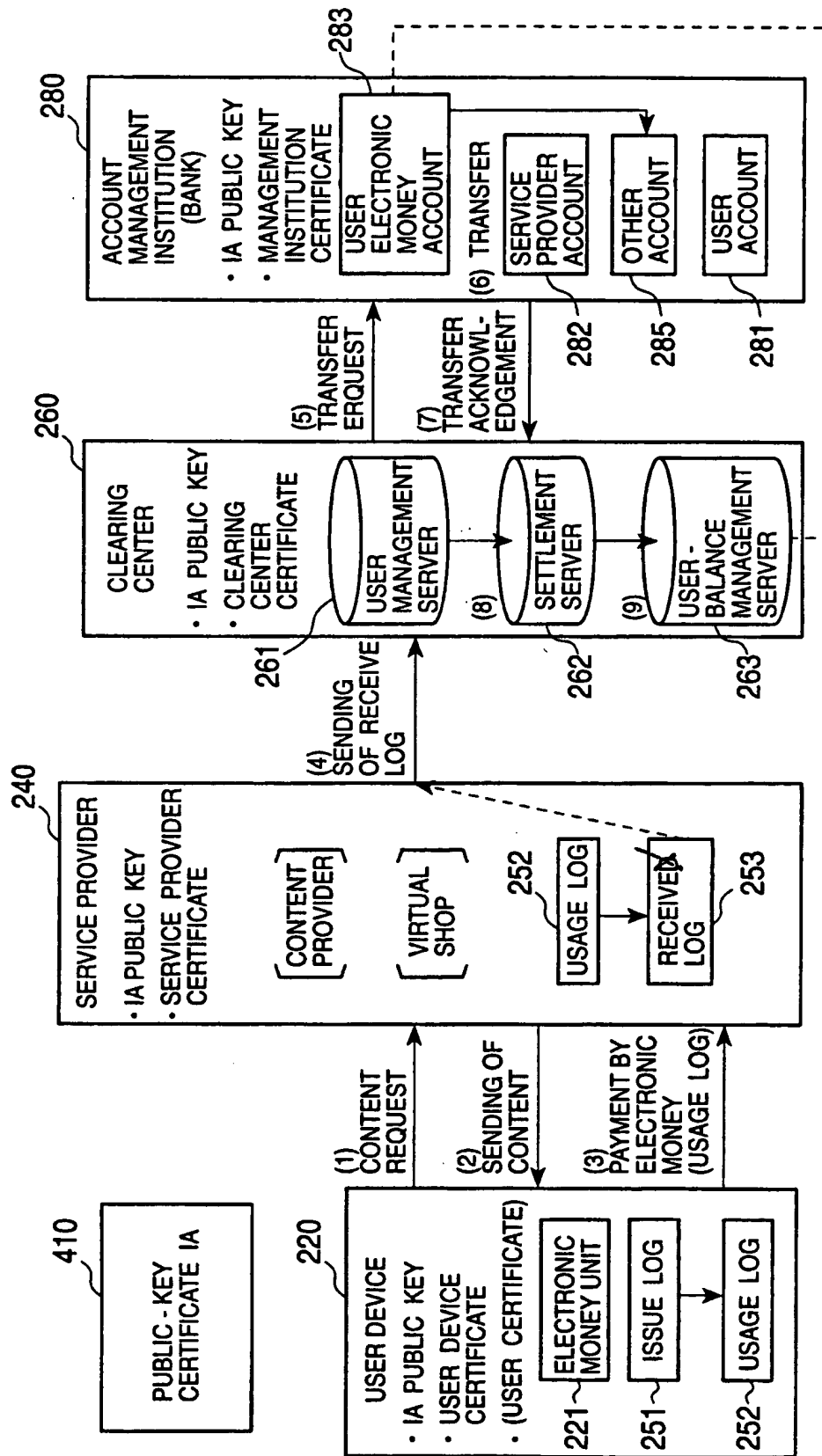


FIG. 4



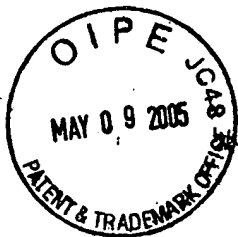
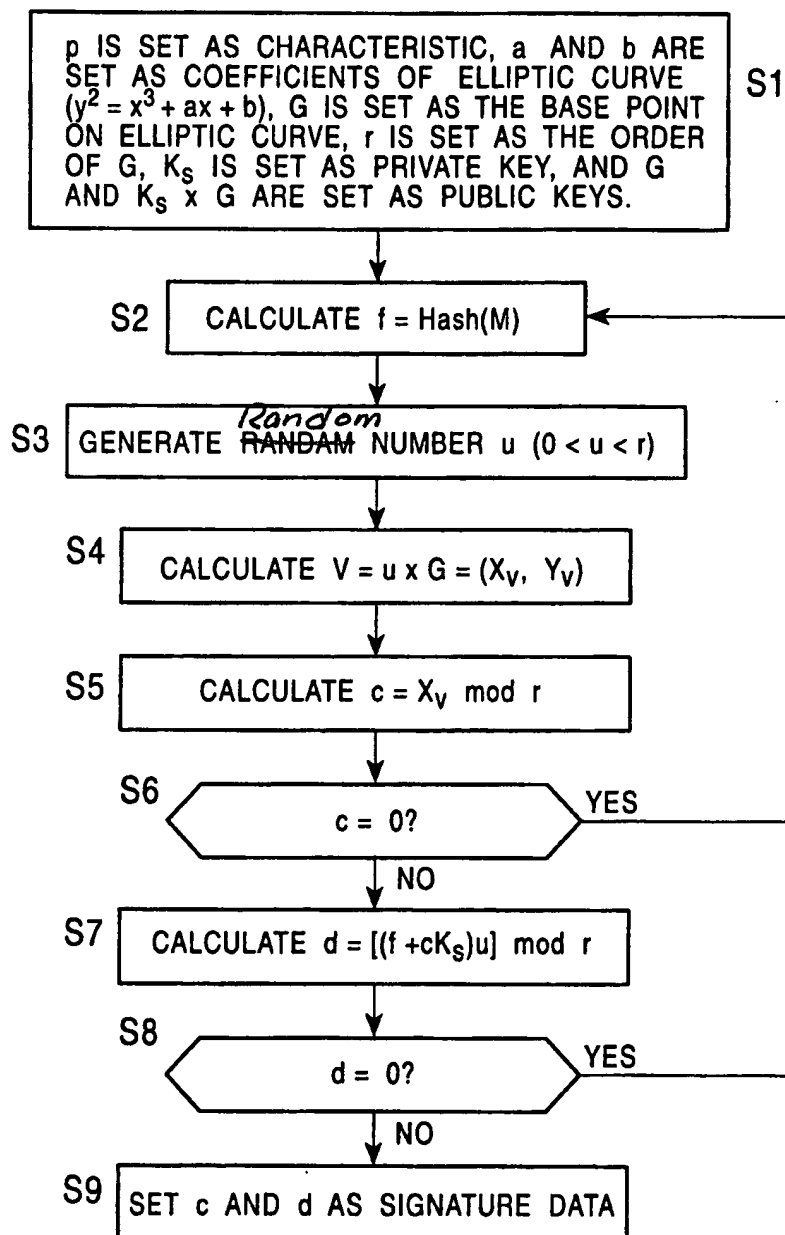


FIG. 8





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FIG. 10

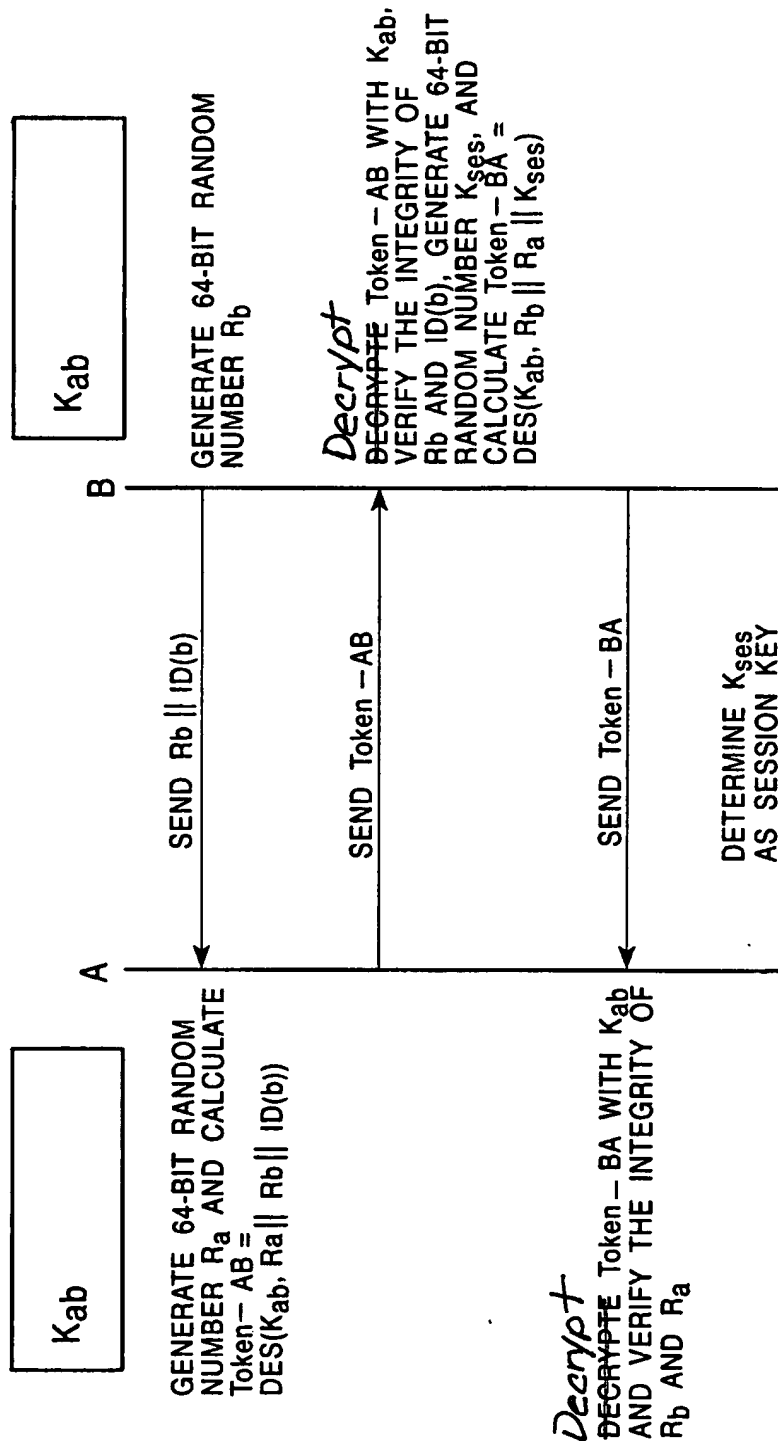




FIG. 14

1401

DATA TYPE	
PRICE INFORMATION TYPE	
PRICE INFORMATION EFFECTIVE PERIOD	
CONTENT ID	
SERVICE PROVIDER ID	
PRICE INFORMATION ID	
PRICE INFORMATION VERSION	
AREA CODE	
USABLE DEVICE CONDITIONS	
USABLE USER CONDITIONS	
CONTENT PROVIDER ID	
UCP ID	
NUMBER OF RULES	
RULE ADDRESS	
RULE 1	RULE NUMBER <i>Distribution</i>
	CONTENT PROFIT DISTRIBUTION INFORMATION
	PRICE <i>Information</i>
	DATA SIZE
	:
⋮	⋮
RULE N	RULE NUMBER
	CONTENT PROFIT DISTRIBUTION INFORMATION
	<i>Distribution</i> PRICE <i>Information</i>
	DATA SIZE
	:
(WHETHER SIGNATURE HAS BEEN VERIFIED)	
PUBLIC KEY CERTIFICATE	
SIGNATURE	

FIG. 18

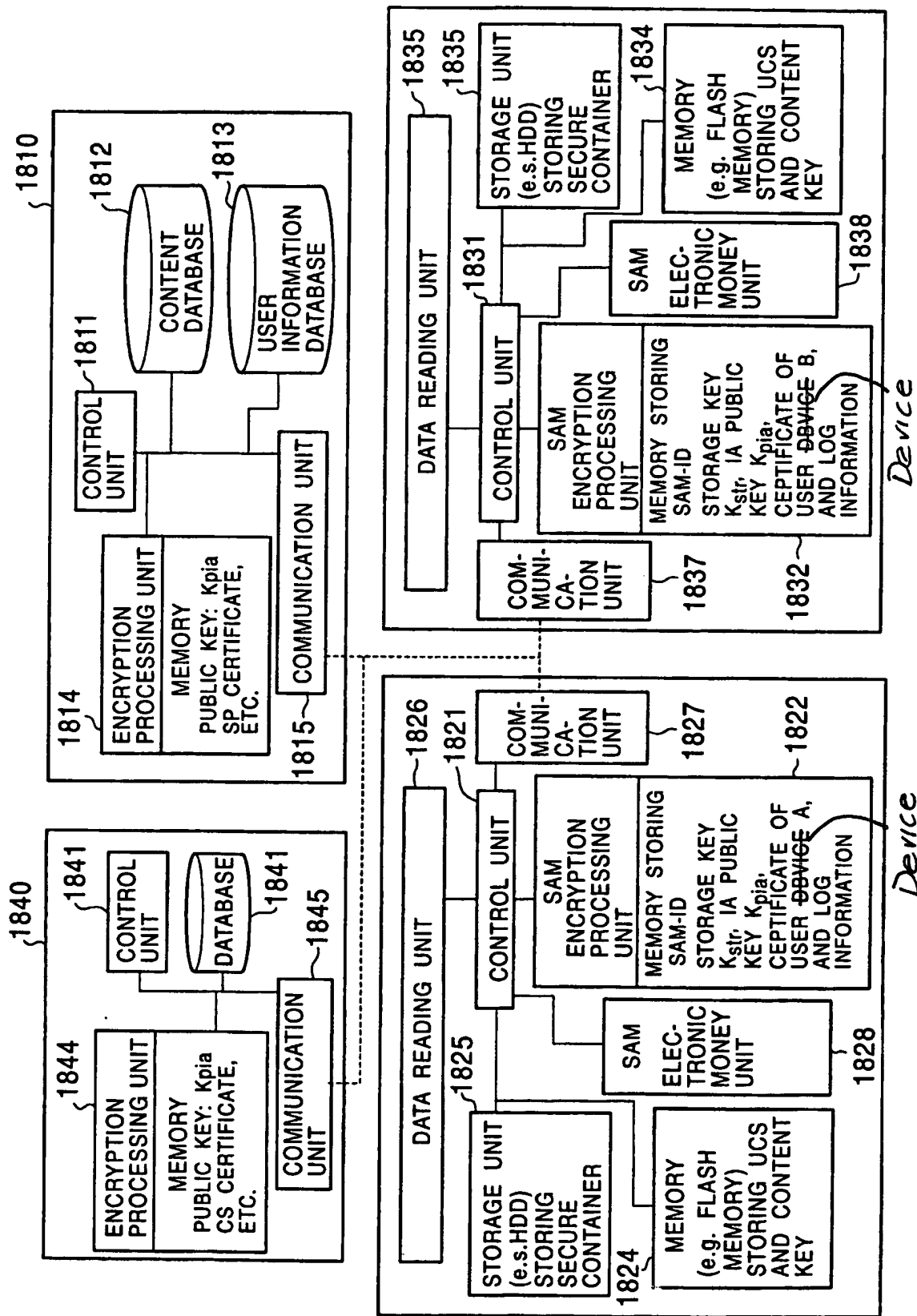




FIG. 19

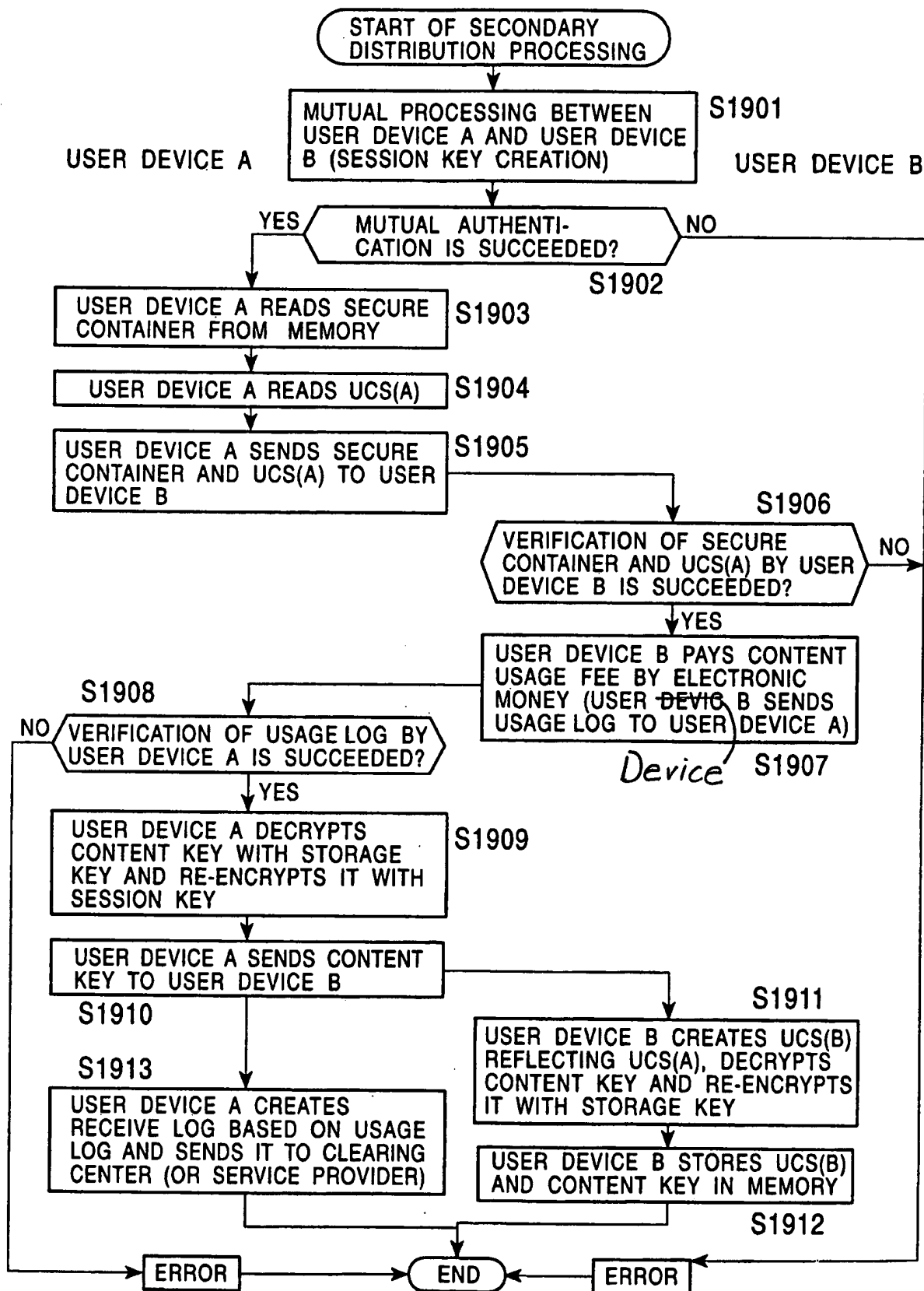




FIG. 24

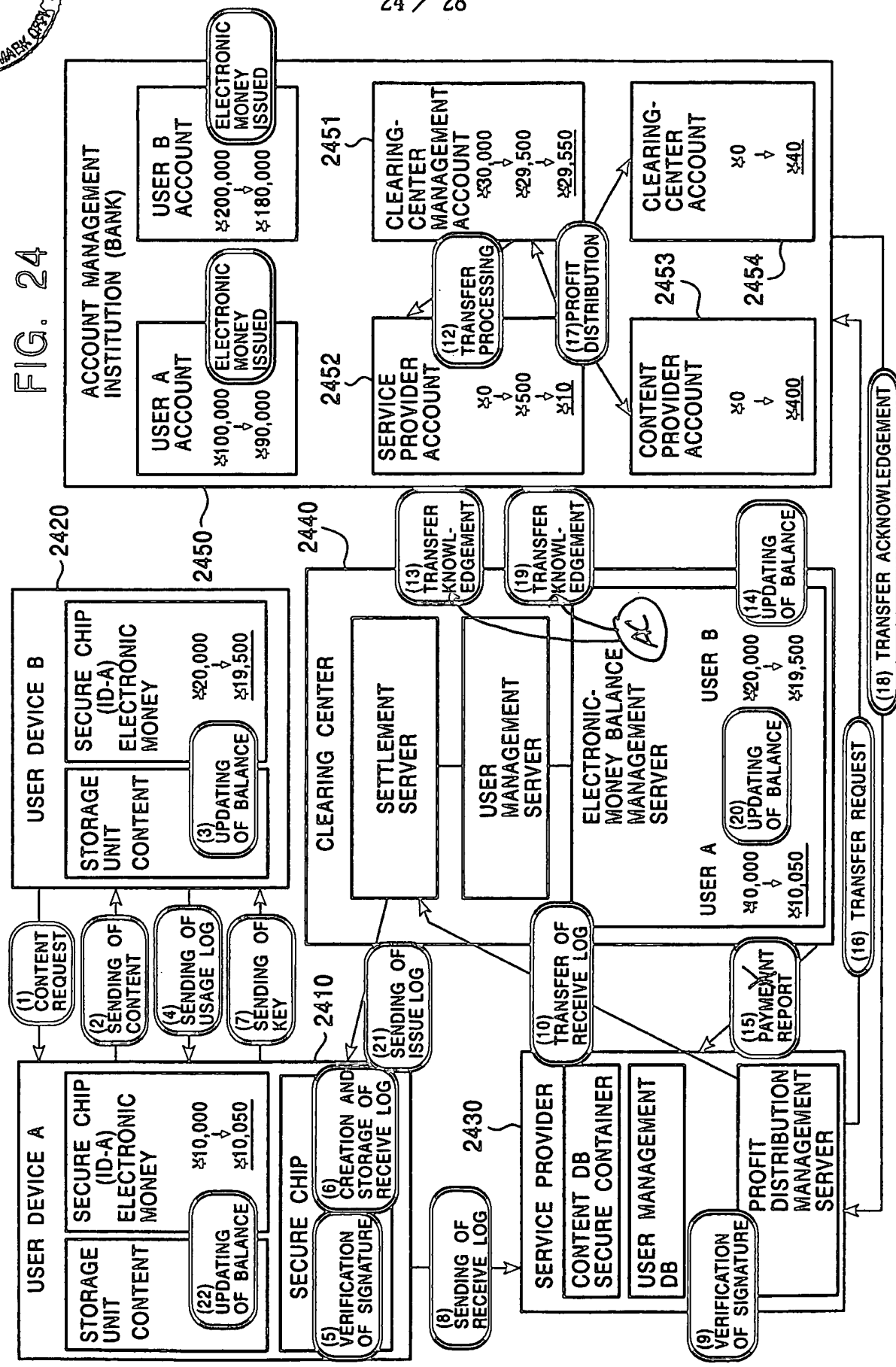


FIG. 25

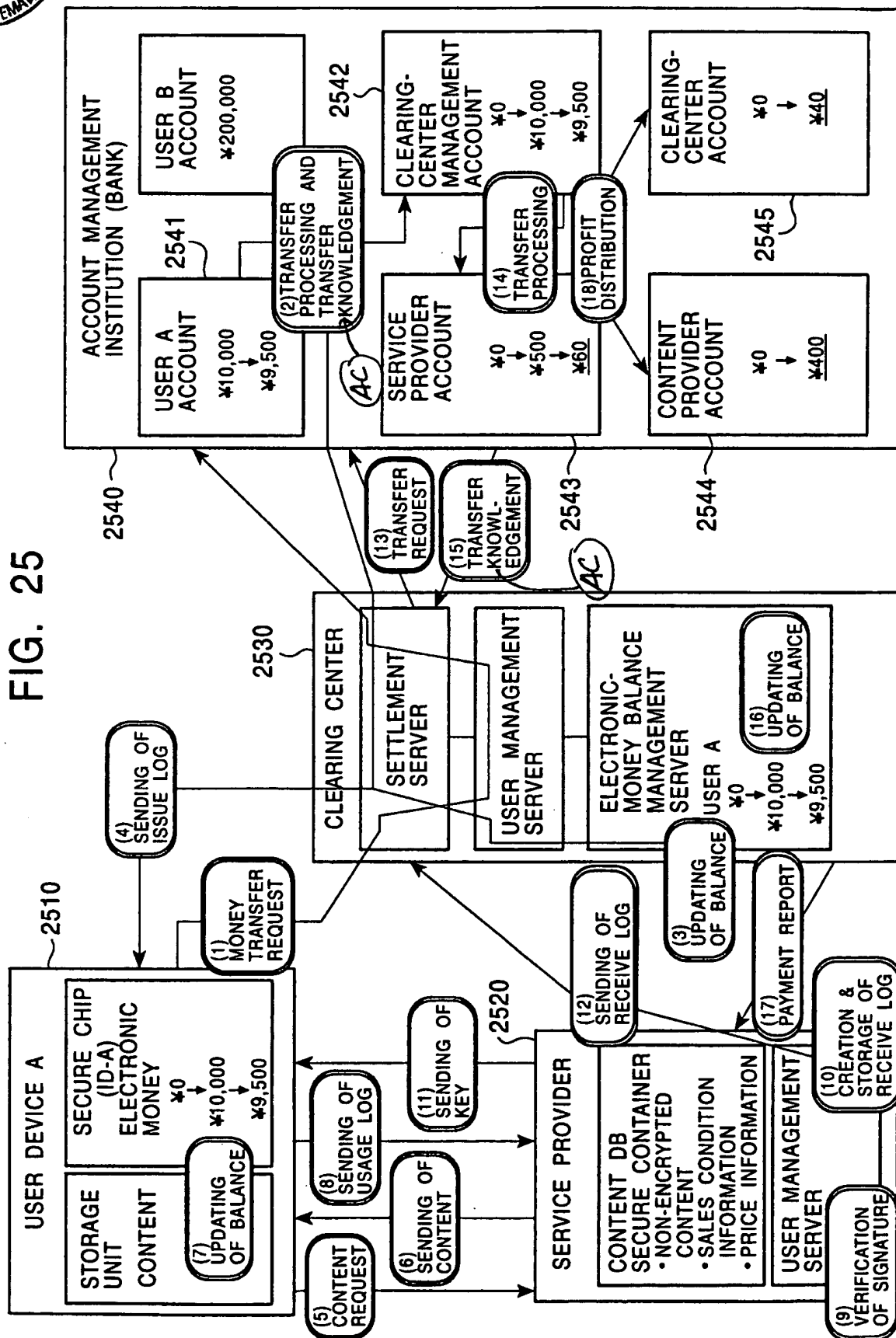
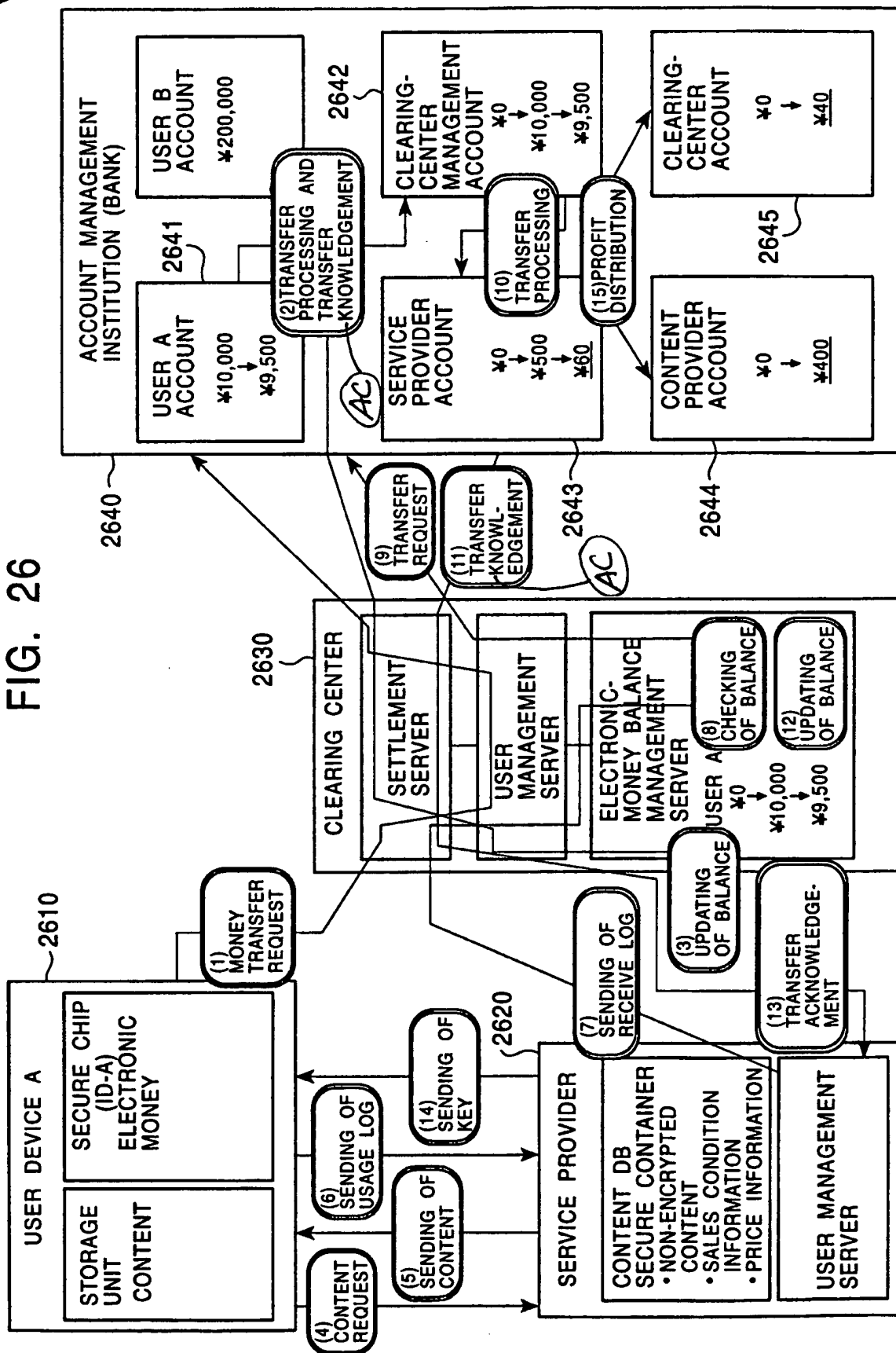


FIG. 26



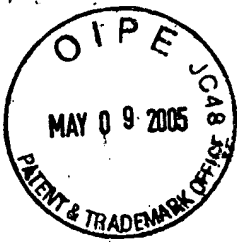


FIG. 27

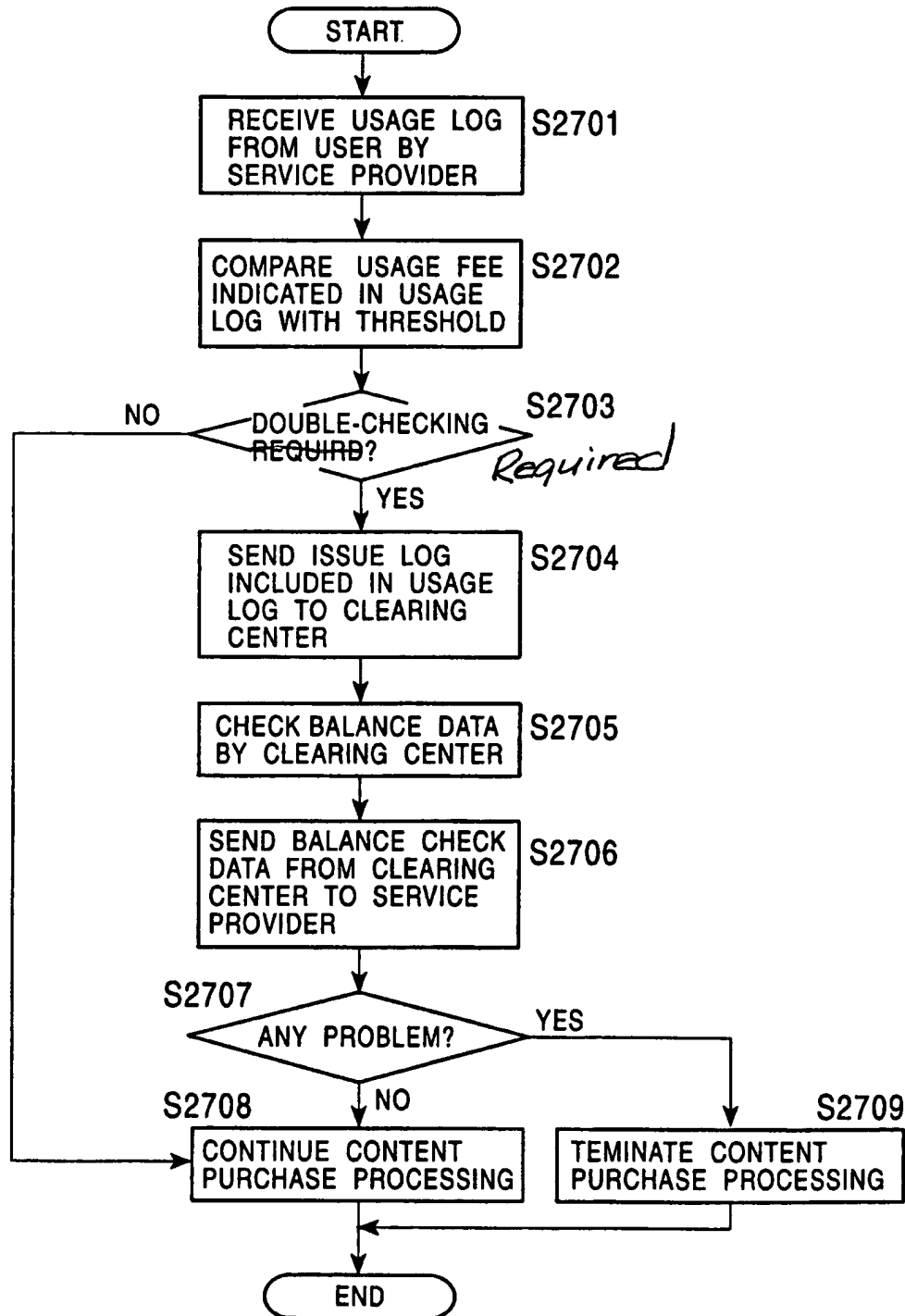




FIG. 28

